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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,348	12/03/1999	YASSER ALSAFADI	PHA-23.863	3612

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EXAMINER

YUAN, ALMARI ROMERO

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/06/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/454,348

Applicant(s)

ALSAFADI ET AL.

Examiner

Almari Yuan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed on 2/20/04.
2. The rejection of claims 1-17 under 35 U.S.C. 103(a) as being unpatentable over Humpleman and Cheng in light of newly found art.
3. Claims 1-23 are pending in the case. Claims 1, 6, 15, and 18 are independent claims.

Response to Appeal Brief

4. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Drawings

5. The drawings filed on 12/03/99 are objected to as indicated in the attached PTO-948 form. Formal corrected drawings can be filed at allowance.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claims 1-5 recites the limitation "operating on said data based on said content" in lines 5-6 of independent claim 1. There is insufficient antecedent basis for this limitation in the claim. It is vague and indefinite because the "data" appears to be operating on itself.

Regarding dependent claims 4-5 are rejected for fully incorporating the deficiencies of their respective base claim.

8. Claims 6-14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6-14 recites the limitation "operating on said data contained in the XML document at the second IDD based on said content" in lines 7-8 of independent claim 6. There is insufficient antecedent basis for this limitation in the claim. It is vague and indefinite because the "data" appears to be operating on itself.

Regarding dependent claims 7-14 are rejected for fully incorporating the deficiencies of their respective base claim.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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10. **Claims 1, 6, 11, and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Meltzer et al. (USPN 6,226,675 B1 – filed 10/1998).**

Regarding independent claim 1, Meltzer discloses:

A method of operating an intelligent digital device (IDD) receiving an eXtensible Markup Language (XML) document containing data and respective Document Type Definition (DTD) describing the data content, comprising:

verifying that a received DTD satisfies a predetermined criteria; and if said criteria is satisfied, operating on said data based on said content (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

Regarding independent claims 6 and (dependent claims 11 and 13-14), Meltzer discloses:

A method of operating a system including a digital network interconnected intelligent digital devices (IDDs) generating and receiving eXtensible Markup Language (XML) documents containing data and respective Document Type Definitions (DTDs) describing the data content , comprising:

transmitting a generated XML document from a first IDD to a second IDD (Meltzer on col. 80, lines 45-54 teaches XML documents are transferred between businesses and processed by participant nodes (also see col. 9, lines 10-28 teaches nodes)); and

the respective DTD for the generated XML document, operating on said data contained in the XML document at the second IDD based on said content (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies

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the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 2-5, 7-10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer, as applied to claims 1 and 6 above, in view of Cheng et al. (USPN 6,519,597 B1 – filed 06/1999).**

Regarding dependent claims 2, 7, 12, Meltzer discloses the invention substantially as claimed as described above. However, Meltzer does not explicitly disclose “wherein the predetermined criteria is equality between the name of the received DTD and the name of a trusted DTD”.

Cheng does disclose “wherein the predetermined criteria is equality between the name of the received DTD and the name of a trusted DTD” on col. 2, lines 1-7, col. 9, lines 44-61, col. 13, lines 37-58, and col. 17, lines 29-45 teaches XML document has a DTD to be mapped to a table of DTDs).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the

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exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Regarding dependent claims 3 and 8, Cheng discloses:

wherein the predetermined criteria comprises the inclusion of the name of a program residing on the IDD (Cheng on col. 2, lines 1-7, col. 9, lines 44-61, col. 13, lines 37-58, and col. 17, lines 29-45: teaches XML extender provides functions for storage, search, and retrieval of XML documents).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Cheng into Meltzer to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Regarding dependent claims 4 and 9, Meltzer discloses:

wherein the program comprises an XML-enabled program (Meltzer on col. 29, line 16 teaches XML applications).

Regarding dependent claim 5, Meltzer discloses:

wherein the program comprises an XML parser (Meltzer on col. 24, lines 27-28 teaches XML parser).

Regarding dependent claim 10, Meltzer discloses:

wherein the program comprises an XML processor (Meltzer on col. 79, line 40 teaches XML processor).

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13. **Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Humpleman (International Publication No. WO99/57837 – published 11/1999).**

Regarding independent claim 15, Meltzer discloses:

A method of operating a system including a digital network interconnected intelligent digital devices (IDDs) generating and receiving eXtensible Markup Language (XML) documents containing data and respective Document Type Definitions (DTDs) describing the data content, comprising:

(a) generating an XML document containing related data and a reference to a respective DTD at a first IDD (Meltzer on col. 26, lines 11-12 teaches a taking an XML document and applying it to a parser/generator); (b) transmitting the XML document from the first to the second IDD (Meltzer on col. 80, lines 45-54 teaches XML documents are transferred between businesses and processed by participant nodes (also see col. 9, lines 10-28 teaches nodes);

(c) parsing the data in the XML document in accordance with the format described in the respective DTD to thereby generate parsed data from the related data; and (d) operating on the parsed data (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

However, Meltzer does not explicitly disclose “responsive to a command from a second IDD”.

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Humpleman on page 17, lines 11-21, page 19, lines 17-29, and page 30, lines 6-14: teaches device-device control using command languages in XML is used for validity check to the XML interface of the device.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Humpleman into Meltzer to provide command languages in XML for device to device control, as taught by Humpleman, incorporated into the network environment of Meltzer, in order increase the capabilities of communication between network devices.

14. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Humpleman, as applied to claim 15 above, in view of Cheng et al. (USPN 6,519,597 B1 – filed 06/1999).

Regarding dependent claims 16 and 17, Meltzer and Humpleman discloses the invention substantially as described above. However, Meltzer and Humpleman do not disclose “the second IDD stores a list of trusted DTDs associated with respective XML processors; the predetermined criteria is coincidence between the respective DTD and a trusted DTD on the list”.

Cheng on col. 2, lines 1-7, col. 9, lines 44-61, col. 13, lines 37-58, and col. 17, lines 29-45: teaches managing XML documents between extranets (between businesses) and determining if a XML document has DTD to be mapped to a table of stored DTDs and if DTD is not known the DTD is stored in the table.

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Cheng into Meltzer and Humpleman to provide a way to determine if the DTD of a XML document is in a table of DTDs, as taught by Cheng, incorporated into the exchanging of XML documents, as taught by Meltzer and Humpleman, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

15. Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Humpleman and in further view of Cheng.

Regarding independent claim 18 and (dependent claim 19-23), Meltzer discloses:

A system comprising: a plurality of intelligent digital devices (IDDs) interconnected to one another, each of the IDD's being capable of one of generating and receiving an eXtensible Markup Language (XML) document containing data and referencing, a document type definition (DTD); wherein:

IDDs stores XML processors associated with named DTDs (Meltzer on col. 80, lines 45-54 teaches XML documents are transferred between businesses and processed by participant nodes based on XML processors (also see col. 9, lines 10-28 teaches types of nodes)); and

the respective DTD for the generated XML document (Meltzer on col. 23, lines 38-46 teaches receiving and processing incoming document such as XML; wherein the parser identifies the document type (DTD) of the document; the document is parsed to identify elements and attributes of the document for the translation into the format accepted by the host).

However, Meltzer does not explicitly disclose “a first IDD generates the XML document responsive to a command received over the an in-house digital network (IHDN)”.

Humpleman on page 6, lines 1-8, page 29, lines 26-32, and page 30, lines 6-14: teaches exchanging XML commands or messages between a network of devices for the controlling of home devices.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Humpleman into Meltzer to provide command languages in XML for device to device control, as taught by Humpleman, incorporated into the network environment of Meltzer, in order increase the capabilities of communication between network devices.

However, Meltzer and Humpleman do not explicitly disclose “when the respective DTD corresponds to one of the named DTDs”.

Cheng on col. 2, lines 1-7, col. 9, lines 44-61, col. 13, lines 37-58, and col. 17, lines 29-45: teaches managing XML documents between extranets (between businesses); XML extender for searching the table of stored DTDs; XML parser parses the XML document to determine if the DTD is inserted in the table of DTDs and if DTD is not known the DTD is stored in the table).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Cheng into Meltzer and Humpleman to provide a way to determine if the DTD of a XML document is inserted in the table of DTDs by using the XML extender and XML parser, as taught by Cheng, incorporated into the exchanging of XML

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documents, as taught by Meltzer and Humpleman, in order to clearly understand document structures and allow user to store, search, and retrieve XML documents.

Response to Arguments

16. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 703-305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
May 2, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER